

## **REMARKS**

**[0010]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-51, 53, 54, 56-62, 64-75 and 77-80 are currently pending.
- Claims 1, 7, 19, 32, 36, 45, 47, 49, 51, 57, 62, 69, 73, and 78 are amended herein.
- New claims 81 and 82 are added herein.

Support for these amendments and new claims can be found at least at p.3, lines 7 and 8, p. 3 line 22 - p.4 line 10, p. 12, lines 12-20, p.5 lines 22-25, p. 13, p. 25, and Figs. 4 and 5 of the Application as originally filed.

## **Claim Objections**

**[0011]** The Office indicates on p. 2 of the Office Action that “the new added limitation to the claim at least one word did not underline to show a difference with a previously claimed limitation” in the last response.

**[0012]** During a telephone conference with the Examiner on 11/30/2009, the Examiner instructed the Applicant to ignore the claim objection.

### **Cited Documents**

[0013] The following documents have been applied to reject one or more claims of the Application:

- Boston: Boston, et al., U.S. Patent Application Publication No. 2008/0013919
- Geng: Geng, U.S. Patent No. 6,064,423

### **Claims 1-6 and 45 Are Non-Obvious Over Boston and further in view of Geng**

[0014] Claims 1-6 and 45 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Boston in view of Geng. Applicant respectfully traverses the rejection.

#### **Independent Claim 1**

[0015] Applicant submits that the combination of Boston and Geng does not teach or suggest features of claim 1 for at least two reasons.

[0016] First, claim 1 has been amended to recite that "the programmatic data include[s] additional data and add[s] additional details, which do not exist in the audio/video data, to the audio/video data."

[0017] After a review of the documents cited by the Office, Applicant asserts that none of the cited documents disclose the above new features as presently recited in claim 1. These features have not previously been considered by the Office. Support for these features can be found at least at p.3, lines 7 and 8, p. 3 lines 22 - p.4 line 10, p. 12, lines 12-20, p.5 lines 22-25, and Figs. 4 and 5 of the application as originally filed.

[0018] Specifically, the Office relies on paragraphs [0279] and [0280] of Boston to teach "programmable data." See Office Action at p. 3.

[0019] The cited portions of Boston are reproduced below, with emphasis added:

[0279] In the method of FIG. 28, freeing displayed space comprises discarding 2720 displayed frames. As shown in FIG. 28, one way to discard displayed frames is to issue video editing calls 2722 to software routines in an application programming interface ("API") for **video editing**, a video editing API. There are many APIs for video editing. Most, if not all, codecs have associated APIs for video editing. Examples of APIs for video editing include 'Video For Linux,' Microsoft's 'Video For Windows™,' and the Sun Microsystems's 'Java Media Framework™.' Video For Windows, for example, is a hardware independent API used by popular video editing packages such as Adobe Premier™ and by video conferencing software such as Microsoft's NetMeeting™.

[0280] FIG. 32 depicts an alternative exemplary method of **discarding 2720 displayed frames**, a method that is implemented by application programming that itself directly manipulates video files or manipulates video files through calls to video editing APIs. The method of FIG. 32 operates on a show 2710 recorded in a video file 3102 comprising video frames 3104, including displayed frames 3106. In the method of FIG. 32, discarding 2720 displayed frames comprises deleting 3110 displayed frames from the video file. **More particularly, the method of FIG. 32 includes opening 3108 the video file 3102; deleting 3110 displayed frames 3106; and closing 3112 the video file 3106.** The method of FIG. 32, therefore, relies on the PVR's operating system to reduce the size of the video file 3102 by approximately the proportion of storage space formerly occupied by the deleted displayed frames 3106.

[0020] Boston thus merely describes "video editing" of the existing "displayed frames," including opening, deleting, and closing a video file. See paragraphs [0027] and [0028], and Fig. 33. In other words, Boston at most describes converting an old video file to a new video file by excluding some frames in the old file or changing the format of the old file. See Boston, Figs. 33 and 37.

**[0021]** Specifically, Boston does not disclose, teach, or suggest “programmatic data including additional data and adding additional details, which do not exist in the audio/video data, to the audio/video data,” as presently recited in claim 1.

**[0022]** Second, the combination of Boston and Geng does not teach or suggest the feature “the programmatic data comprising: 2D information comprising data for rendering a viewpoint that does not exist in the audio/video data,” as also presently recited in claim 1.

**[0023]** The Office relies on the abstract and col. 9 lines 1-14 of Geng to disclose “the programmatic data comprises: 2D information comprising data for rendering a viewpoint absent from the audio/video data.” See Office Action at p. 3.

**[0024]** Col. 9 lines 1-14 of Geng is reproduced below:

After proper initialization, the host computer keeps checking the signal from an angular position sensor (an optical encoder) co-axially mounted on the shaft of helix surface. The optical encode provides a trigger signal every time the leading edge of any helix surface passes the initial angular position. Once the pulse from the encoder is detected, the host computer controls the SLM to start repetitive projection of 2D image patterns. Each projection produces a “layer” of light spots in the 3D volume. After N projections, the host computer goes back to wait for the 10 trigger signal from the next helix surface, after it completes N scans. This 3D image refreshing cycle repeats at a high updating rate (20 Hz, for example) so that naked human eyes can no longer perceive the helix surface, but rather floating light spots in true 3D space.

**[0025]** Geng merely describes “utiliz[ing] a sequence of helical slices of a 3D data set to generate a series of 2D images,” abstract, by using SLM/Helix 3D Display Algorithm algorithms to change the existing 3D data into 2D images. See col. 8, lines 14-19. That is, the 2D images described in Geng are slices of the original 3D image. As such, they

the 2D images cannot be “2D information comprising data for rendering a viewpoint absent from the audio/video data,” as recited in claim 1.

**[0026]** Therefore, Geng does not teach or suggest “the programmatic data comprises: 2D information comprising data for rendering a viewpoint that does not exist in the audio/video data,” as presently recited by claim 1.

**[0027]** As shown above, the combination of Boston and Geng does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Office to withdraw the rejection of this claim.

#### Dependent Claims 2-6

**[0028]** Claims 2-6 ultimately depend from independent claim 1. As discussed above, claim 1 is allowable over the cited documents. Therefore, claims 2-6 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

#### Independent Claim 45

**[0029]** For the same reason as those discussed above with respect to claim 1, Applicant submits that the combination of Boston and Geng does not teach or suggest at least the following features as recited in this claim:

the programmatic data includes additional data and adds additional details to the audio/video data; and  
the programmatic data comprises:  
2D information comprising data for rendering a viewpoint that does not exist in the audio/video data

**[0030]** Therefore, the combination of Boston and Geng does not render this claim obvious. Applicant asks the Office to withdraw the rejection of this claim.

**Boston Fails to Anticipate Claims 7-44, 46-54, 56-62, 64-75 and 77-80**

**[0031]** Claims 7-44, 46-54, 56-62, 64-75 and 77-80 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Boston. Applicant respectfully traverses the rejection.

**Independent Claims 7**

**[0032]** For the same reason as those discussed above with respect to claim 1, Applicant submits that Boston does not disclose features of this claim. For example, Boston fails to disclose or suggest at least the newly added features "the programmatic data includes additional data and adds additional details to the audio/video data," as presently recited in claim 7.

**[0033]** Therefore, Boston does not disclose all of the elements and features of this claim. Applicant asks the Office to withdraw the rejection of this claim.

**Independent Claim 19**

**[0034]** For the same reason as those discussed above with respect to claim 1, Applicant submits that Boston does not disclose features of this claim. For example, Boston fails to disclose or suggest at least the newly added features "the programmatic data includes additional data and adds additional details to the audio/video data," as presently recited in claim 19.

**[0035]** Therefore, Boston does not disclose all of the elements and features of this claim. Applicant asks the Office to withdraw the rejection of this claim.

Independent Claim 32

**[0036]** For the same reason as those discussed above with respect to claim 1, Applicant submits that Boston does not disclose features of this claim. For example, Boston fails to disclose or suggest at least the newly added features “the programmatic data includes additional data and adds additional details to the audio/video data,” as presently recited in claim 32.

**[0037]** Therefore, Boston does not disclose all of the elements and features of this claim. Applicant asks the Office to withdraw the rejection of this claim.

Independent Claim 36

**[0038]** For the same reason as those discussed above with respect to claim 1, Applicant submits that Boston does not disclose features of this claim. For example, Boston fails to disclose or suggest at least the newly added features “the programmatic data includes additional data and adds additional details to the audio/video data,” as presently recited in claim 36.

**[0039]** Therefore, Boston does not disclose all of the elements and features of this claim. Applicant asks the Office to withdraw the rejection of this claim.

Independent Claim 47

**[0040]** For the same reason as those discussed above with respect to claim 1, Applicant submits that Boston does not disclose features of this claim. For example, Boston fails to disclose or suggest at least the newly added features “the programmatic

data includes additional data and adds additional details to the audio/video data," as presently recited in claim 47.

**[0041]** Therefore, Boston does not disclose all of the elements and features of this claim. Applicant asks the Office to withdraw the rejection of this claim.

*Independent Claim 49*

**[0042]** For the same reason as those discussed above with respect to claim 1, Applicant submits that Boston does not disclose features of this claim. For example, Boston fails to disclose or suggest at least the newly added features "the programmatic data includes additional data and adds additional details to the audio/video data," as presently recited in claim 49.

**[0043]** Therefore, Boston does not disclose all of the elements and features of this claim. Applicant asks the Office to withdraw the rejection of this claim.

*Independent Claim 51*

**[0044]** For the same reason as those discussed above with respect to claim 1, Applicant submits that Boston does not disclose features of this claim. For example, Boston fails to disclose or suggest at least the newly added features "the programmatic data includes additional data and adds additional details to the audio/video data," as presently recited in claim 51.

**[0045]** Therefore, Boston does not disclose all of the elements and features of this claim. Applicant asks the Office to withdraw the rejection of this claim.



Independent Claim 57

[0046] For the same reason as those discussed above with respect to claim 1, Applicant submits that Boston does not disclose features of this claim. For example, Boston fails to disclose or suggest at least the newly added features “the programmatic data includes additional data and adds additional details to the audio/video data,” as presently recited in claim 57.

[0047] Therefore, Boston does not disclose all of the elements and features of this claim. Applicant asks the Office to withdraw the rejection of this claim.

Independent Claim 62

[0048] For the same reason as those discussed above with respect to claim 1, Applicant submits that Boston does not disclose features of this claim. For example, Boston fails to disclose or suggest at least the newly added features “the programmatic data includes additional data and adds additional details to the audio/video data,” as presently recited in claim 62.

[0049] Therefore, Boston does not disclose all of the elements and features of this claim. Applicant asks the Office to withdraw the rejection of this claim.

Independent Claim 69

[0050] For the same reason as those discussed above with respect to claim 1, Applicant submits that Boston does not disclose features of this claim. For example, Boston fails to disclose or suggest at least the newly added features “the programmatic

data includes additional data and adds additional details to the audio/video data," as presently recited in claim 69.

**[0051]** Therefore, Boston does not disclose all of the elements and features of this claim. Applicant asks the Office to withdraw the rejection of this claim.

*Independent Claim 73*

**[0052]** For the same reason as those discussed above with respect to claim 1, Applicant submits that Boston does not disclose features of this claim. For example, Boston fails to disclose or suggest at least the newly added features "the programmatic data includes additional data and adds additional details to the audio/video data," as presently recited in claim 73.

**[0053]** Therefore, Boston does not disclose all of the elements and features of this claim. Applicant asks the Office to withdraw the rejection of this claim.

*Independent Claim 78*

**[0054]** For the same reason as those discussed above with respect to claim 1, Applicant submits that Boston does not disclose features of this claim. For example, Boston fails to disclose or suggest at least the newly added features "the programmatic data including additional data and adding additional details to the audio/video data," as presently recited in claim 78.

**[0055]** Therefore, Boston does not disclose all of the elements and features of this claim. Applicant asks the Office to withdraw the rejection of this claim.

Dependent Claims 8-18, 20-31, 33-35, 37-44, 46, 48, 50, 52-54, 56, 58-61, 64-68, 70-72, 74, 75, and 79-82

**[0056]** Claims 8-18, 20-31, 33-35, 37-44, 46, 48, 50, 52-54, 56, 58-61, 64-68, 70-72, 74, 75, and 79-82 ultimately depend from one of independent claims 7, 19, 32, 36, 47, 49, 51, 57, 62, 69, 73, or 78. As discussed above, claims 7, 19, 32, 36, 47, 49, 51, 57, 62, 69, 73, and 78 are allowable over the cited documents. Therefore, claims 8-18, 20-31, 33-35, 37-44, 46, 48, 50, 52-54, 56, 58-61, 64-68, 70-72, 74, 75, and 79-82 are also allowable over the cited document of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

**[0057]** Claims 81 and 82 are newly added claims, and depend from independent claim 1.

**[0058]** Support for new claims 81 and 82 can be found at least at pp. 13 and 25 of the application as originally filed. Additionally, there are many more exemplifications of programming data on pp. 13 – 31 of the Application as originally filed.

**[0059]** Applicant submits the combination of Boston and Geng does not teach or suggest the features as recited in the new claims 81 and 82.

## **Conclusion**

**[0060]** Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, **Applicant requests that the Examiner contacts the undersigned representative for the Applicant before issuing a subsequent Action.**

Respectfully Submitted,

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